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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,852	02/20/2004	Richard Hunter Harris	RPS920030059US1	7663
25299	7590	04/04/2005	EXAMINER	
IBM CORPORATION PO BOX 12195 DEPT 9CCA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			GHATT, DAVE A	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action SummaryApplication No. **10/783,852**Applicant(s)
HARRIS ET AL.Examiner
Dave A. GhattArt Unit
2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 11-19 is/are allowed.
6) ☒ Claim(s) 1 and 10 is/are rejected.
7) ☒ Claim(s) 2-9 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/20/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Fujita et al. (US 5,513,840). Fujita et al. teaches a duplex document printer as claimed. As shown in Figure 1, Fujita et al. teaches a first document path (from roller 34a to 42a) including an internal end shown generally at roller 42a. Fujita et al. also teaches at least one first document driving member 42a engaging a document in said first document path to drive the document in a forward direction toward the internal end. See column 7 lines 21-25 and column 9 lines 25-34. Column 10 lines 3-18, Fujita et al. also teaches the driving in a reverse direction, opposite said forward direction. As taught in column 9 lines 25-34 and column 10 lines 2-18, Fujita et al. teaches a first motor SM1 moving the at least one first document driving member 42a in a first direction to move the document in the forward direction along the first document path and in a second direction to move the document in the reverse direction along the first document path (in Figure 1, the portion shown from roller 42a to roller 38a). Figure 1 of Fujita et al. teaches a print head 14 disposed adjacent a first side of the first document path. Figure 1 also teaches a second document path (from roller 42a to 48a), extending from the internal end of the first document path, forming a loop (in the region of rollers 46a and 48a) to invert a document driven around the

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second document path in a preferred direction. Column 10 lines 12-26 teach at least one second document driving member 48a engaging the document in the second document path to drive the document path to drive the document in the preferred direction, and a second motor SM2 driving the at least one second document driving member 48a to move the document around the loop in the second document path in the preferred direction, wherein said first motor and said second motor are separately controlled. The applicant should note that this claim does not require a check, but the ability to feed a check in the recited manner.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimao (US 6,474,387) in view of Fujita et al. (US 5,513,840). As shown in Figure 1, Shimao teaches a first document path (from rollers 44 and 45 to rollers 17 and 18) including an internal end shown generally at rollers (17, 18). Shimao also teaches at least one first document driving member (14, 15) engaging a document in said first document path to drive the document in a forward direction toward the internal end. See flow chart of Figure 10. Figure 10 of Shimao also teaches the driving in a reverse direction, opposite said forward direction. As taught in column 3 lines 1-40, Shimao teaches a first motor moving the at least one first document driving member (14, 15) in a first direction to move the document in the forward direction along the first document path

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and in a second direction to move the document in the reverse direction along the first document path (in Figure 1, the portion shown from rollers (17, 18) to gate 20). Figure 1 of Shimao teaches a print head 46 disposed adjacent a first side of the first document path. Figure 1 also teaches a second document path (from rollers 17 and 18 to rollers 43, 42), extending from the internal end of the first document path, forming a loop to invert a document driven around the second document path in a preferred direction. Figure 1 also shows at least one second document driving member (50, 51) engaging the document in the second document path to drive the document path to drive the document in the preferred direction. Shimao also teaches a document tray 19 extending from the internal end of said first document path, and a gate 20 moved between first and second positions, wherein the document driven from said first document path in the forward direction is driven along the document tray with the gate 20 in the first position and into the second document path with the gate in the second position. In fact, Shimao teaches all the claimed apparatus except for a second motor driving the at least one second document driving member to move the document around the loop in the second document path in the preferred direction, wherein said first motor and said second motor are separately controlled. Fujita et al. teaches a printer for printing on two sides of a document similar to that of Shimao. As shown in Figure 1, Fujita et al. teaches a first document path (from roller 34a to 42a) and one first document driving member 42a and a first motor SM1. Fujita et al. also teaches a second document path (from roller 42a to 48a), at least one second document driving member 48a, and a second motor SM2, the first and second motor separately controlled. To one of ordinary skill in the art it would have been obvious to use the first and second motor

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for driving the first and second driving members as taught by Fujita et al., in the invention of Shimao, in order to reduce the number of gearing elements required in the apparatus.

Allowable Subject Matter

5. Claims 2-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 2 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, including control means causing the first motor to drive the at least one first driving member to drive the at least one first driving member in the second direction in response to a determination by the document position determining means that the check driven into the second document path from the first document path is moved past the at east one document driving member.

Claim 6 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, wherein the at east one second document driving member includes at least one document drive belt extending between a drive roller assembly, rotatably mounted on the frame and driven in rotation by the second motor, and an idler roller assembly rotatably mounted on the frame.

6. Claims 11-19 are allowed.

Claim 11 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total method claimed, including the steps of determining

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that the check has moved past the at least one first document driving member, and moving the check from the second document path back into the first document path and within the first document path with the first document driving member moving in the reverse direction.


Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A. Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG


Daniel J. Colilla
Primary Examiner
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